

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

BRENDA R. HATTON, Individually and as
Executrix of the Estate of PHILLIP HATTON,

Plaintiff,

V.

GENERAL ELECTRIC COMPANY,

Defendant.

C.A. No.1:18-cv-10331

GENERAL ELECTRIC COMPANY'S MOTION TO REMAND

Defendant General Electric Company (“GE”) requests that this matter be remanded based upon the absence of subject-matter jurisdiction.

Plaintiff originally filed her Complaint in Middlesex County Superior Court. GE filed a notice of removal on February 21, 2018 based upon diversity jurisdiction. Subsequently, GE has determined that diversity jurisdiction does not apply, and it is unaware of any other basis upon which this Court would possess jurisdiction. Accordingly, GE believes that remanding this matter back to Middlesex County Superior Court would be appropriate. 28 U.S.C.A. § 1447(c) (requiring remand “if at any time before final judgment it appears that the district court lacks subject matter jurisdiction”).

WHEREFORE, for the reasons set forth above, GE respectfully requests that the Court remand this case to Middlesex County Superior Court.

Local Rule 7.1 Certificate

Pursuant to Massachusetts District Court Local Rule 7.1(a)(2), counsel for GE conferred with Plaintiff's counsel and attempted in good faith to resolve the issue presented in the foregoing motion, but was unable to reach a resolution. Plaintiff's counsel has expressed that Plaintiff neither assents to nor opposes the motion.

Dated: March 23, 2018

THE DEFENDANT
GENERAL ELECTRIC COMPANY
By its Attorney,

/s/ Catherine A. Mohan
Catherine A. Mohan
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CERTIFICATE OF SERVICE

I hereby certify that this document was filed through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants (none) on March 23 2018.

/s/Catherine A. Mohan
Catherine A. Mohan